



U.S. Department of  
Transportation

Office of the Secretary  
of Transportation

DOCUMENTARY SERVICE DIVISION  
Washington, D.C. 20590

96-27

Weekly Summary of Orders and  
Regulations

JUNE 24 - JUNE 28, 1996

Order	Docket	Summary	Date Action Taken
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(#) Published in the Federal Register.

96-5-21	OST-95-206 OST-95-782 Undocketed	<p>U.S.-TORONTO SERVICE PROCEEDING; U.S.-TORONTO SECOND YEAR SERVICE PROCEEDING; AND PITTSBURGH-TORONTO AIR SERVICES: ERRATUM - Order 96-5-21 was originally issued with the incorrect Route Number 674 to USAir, Inc., the correct Route Number is 694. Corrected Certificated is attached to the Erratum. Served 6-26-96</p>	6-20-96
96-6-39	EAS-791	<p>ESSENTIAL AIR SERVICE AT MOAB, UTAH UNDER 49 U.S.C. 41731 ET SEQ.: The Department tentatively reselects Alpine Aviation, Inc., d/b/a Alpine Air, to provide subsidized essential air service at Moab, Utah, for the two-year period beginning May 1, 1996, at an annual subsidy rate of \$404,700, and providing for objections or competing proposals from other interested carriers by July 15, 1996. Sered 6-25-96</p>	6-19-96
96-6-40	49239	<p>ESSENTIAL AIR SERVICE AT BECKLEY, BLUEFIELD/PRINCETON, WEST VIRGINIA UNDER 49 U.S.C. 41731 ET SEQ.: The Department tentatively reselects Colgan Air, Inc., to provide subsidized essential air service at Beckley and Bluefield/Princeton, West Virginia, for the two-year period</p>	6-19-96

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beginning August 1, 1996, at an annual  
continued.....

96-6-40	49239	continued..... subsidy rate of \$541,670, and providing for objections of competing proposals from other interested carrier by July 15, 1996. Served 6-25-96	6-19-96
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96-6-41	37554	NOTICE OF ORDER ADJUSTING THE STANDARD FOREIGN FARE LEVEL INDEX: Fare may be increased by the following adjustment factors over the October 1979 level: Atlantic.....1.4474 Latin America.....1.5312 Pacific.....1.5214 Served 6-27-96	6-20-96
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Intervening numbers have not been released.

96-6-44	OST-96-1409	The Department approves and grants antitrust immunity to the IATA agreement, subject, where applicable, to conditions previously imposed which increases fares from Malawi to points in throughout the world, including U.S. points, by five percent. This general increase supersedes various fare increases adopted at recent IATA Tariff Coordinating Conferences regarding Malawi which were disapproved by the Malawian government in favor of a general fare increase. Although the increase affects fares to United States points, the Department will not attach its usual condition regarding adherence to Standard Foreign Fare Level criteria since there are no direct services offered between the United States and Malawi. Served 6-27-96	6-27-96
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96-6-45	49498 OST-95-477 OST-95-855	<p>APPLICATIONS OF CLEARE AIR LIMITED, LAKER AIRWAYS (BAHAMAS) LIMITED AND SCANDINAVIAN AIRLINES SYSTEM FOR FOREIGN AIR CARRIER PERMIT UNDER SECTION 41301 OF TITLE 49 OF THE U.S. CODE:</p> <p>The Department issues, in the forms attached a foreign air carrier permit to each applicant;</p> <p>Grants all motions and requests to file documents out of time, submit additional or supplementary materials, to withdraw pleadings;</p> <p>To the extent not granted, the applications and all motions and other requests in these dockets are denied.</p> <p>Served 6-27-96</p>	6-27-96
96-6-46	Undocketed	<p>APPLICATION OF MERLIN EXPRESS, INC. FOR A REDETERMINATION OF ITS FITNESS TO CONDUCT COMMUTER AIR CARRIER OPERATIONS:</p> <p>The Department tentatively finds that Merlin Express, Inc., continues to be fit to conduct operations as a commuter air carrier.</p> <p>Objections due July 9, 1996. #</p> <p>Served 6-24-96</p> <p>Intervening numbers appeared on a previous summary.</p>	6-21-96
96-6-48	OST-96-1412	<p>JOINT APPLICATION OF USA JET AIRLINES, INC. AND YIP GROUP, INC. FOR TRANSFER OF USA JET AIRLINES' SECTION 41102 CERTIFICATES UNDER</p>	6-24-96

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U.S.C. 41105:

The Department finds that YIP Group, Inc., is a citizen of the United States and is “fit, willing, able” to operate the interstate and foreign charter cargo air transportation authorized by USA Jet Airlines, Inc.’s continued.....

96-6-48	OST-96-1412	continued..... section 41102 certificates and ; Transfer to YIP the authority of USA Jet; Reissues to YIP the interstate and foreign charter cargo air transportation certificates previously held by USA Jet, to reflect the transfer of authority, the effective date, and a name change from “YIP Group, Inc.” to “USA Jet Airlines, Inc.”. Served 6-28-96	6-24-96
96-6-49	OST-96-1367	The Department approves and grants antitrust immunity to the IATA Agreement, subject, where applicable, to conditions previously imposed which increases all fares (except add-ons and related charges) from Namibia to points throughout the world, including U.S. points, by five percent to help offset the continued depreciation of the Namibian nad. Served 6-28-96	6-24-96
96-6-50	OST-96-1102 OST-96-1103	APPLICATIONS OF SKY TREK INTERNATIONAL AIRLINES, INC. FOR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY UNDER 49 U.S.C. 41102 TO ENGAGE IN INTERSTATE AND FOREIGN CHARTER AIR TRANSPORTATION OF PERSONS, PROPERTY, AND MAIL: The Department finds that Sky Trek International Airlines, Inc., is fit, willing, and able to engage in interstate and foreign	

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charter air transportation of persons, property, and mail;  
Issues a certificate of public convenience and necessity to Sky Trek International Airlines, Inc., to engage in interstate air transportation in the form and subject to the Terms, Conditions, and Limitations attached to this order.

Served 7-1-96

Intervening number has not been released.

96-6-52	Undocketed	<p><b>MIDWAY AIRLINES CORPORATION - VIOLATIONS OF 49 U.S.C. SECTION 41712 AND 14 CFR 399.84: CONSENT ORDER</b></p> <p>This consent order concerns advertisement of Midway Airlines Corporation (Midway) that did not disclose that the advertised fares were nonrefundable and did not comply with the full-fare advertising requirements of section 399.84 of the Department's regulations (14 CFR 399.84). The failure to do so constituted unfair and deceptive practices in violation of 49 U.S.C. Section 41712. This consent order directs Midway to cease and desist from future violations and to pay a compromise civil penalty. Midway Airlines Corporation is assessed \$10,000 .</p> <p>Served 6-28-96</p>	6-28-96
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96-6-53	OST-96-1037	<p><b>U.S.-LIMA COMBINATION SERVICE PROCEEDING (1996):</b></p> <p>The Department makes final the selection of Continental Airlines, Inc., for primary authority to provide scheduled combination service in the Houston, Texas-Lima, Peru, market and award it seven weekly frequencies for use commencing on November 1, 1996. In addition, makes final the selection of American Airlines, Inc., for</p>	6-25-96
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backup frequency authority in the Dallas/Ft. Worth-Lima market.  
Served 7- 5-96

96-6-54	OST-96-1104	U.S.-LIMA COMBINATION SERVICE PROCEEDING (1996) PHASE TWO: The Department grants the petition for reconsideration of American Airlines, Inc., and on reconsideration amend the procedural schedule established in Order 96-6-22, continued.....	6-28-96
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96-6-54	OST-96-1104	June 10, 1996, in the <b>U.S.-Lima Combination Service Proceeding (1996) Phase Two;</b> Accepts American's amended application for allocation of these frequencies. Served 7-5-96	6-28-96
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OST-95-744	<b><u>RULEMAKING</u></b> 14 CFR PART 241 - NOTICE NO. 96-18 - PASSENGER ORIGIN-DESTINATION SURVEY REPORTS - The Department proposes that large certificated U.S. air carriers participating in code-share arrangements report both in ticketing and operating air carriers in their quarterly Passenger Origin and Destination Survey reports.
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ORDERS NOT RELEASED AS OF JUNE 28, 1996:  
96-6-51

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